

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

KRISTY D. HARLAN, )  
                        )  
Plaintiff,           )  
                        )  
v.                   )      Case No. 3:08-0959  
                        )      Judge Echols  
METROPOLITAN GOVERNMENT )  
OF NASHVILLE AND DAVIDSON )  
COUNTY,                )  
                        )  
Defendant.           )

**ORDER**

This is a discrimination action in which Plaintiff alleges she was wrongfully terminated from her employment because of attendance issues. Defendant has filed an unopposed Motion for Summary Judgment (Docket Entry No. 40) and the Magistrate Judge has entered a Report and Recommendation (“R & R”) (Docket Entry No. 44) which recommends granting the same. Plaintiff, pro se, has filed no objection to the R & R, even though she was informed in the R & R that any objection needed to be filed within ten days of service of the R & R. (Id. at 3).

Where no objections are made to the R & R, “[t]he district judge may accept, reject, or modify the recommended decision, receive further evidence, or recommit the matter to the magistrate judge with instructions.” Fed.R.Civ.P. 72(b). In this case, after reviewing the entire record, the Court finds that the Magistrate Judge was correct in determining that summary judgment in favor of Defendant is warranted because Plaintiff has not shown that similarly-situated employees were treated differently than she, and Defendant has set forth legitimate non-discriminatory reasons for Plaintiff’s termination which Plaintiff has not shown to be pretextual.

Accordingly, the Court hereby enters the following rulings:

- (1) The R & R (Docket Entry No. 44) is hereby ACCEPTED and APPROVED;
- (2) Defendant's Motion for Summary Judgment (Docket Entry No. 40) is hereby GRANTED; and
- (3) This case is hereby DISMISSED WITH PREJUDICE.

Entry of this Order on the docket shall constitute entry of a final judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

It is so ORDERED.



ROBERT L. ECHOLS  
UNITED STATES DISTRICT JUDGE